

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

NED COMER, ET AL.	§	PLAINTIFFS
	§	
v.	§	Civil Action No. 1:05-CV-436-LG-RHW
	§	
MURPHY OIL USA, INC., ET AL.	§	DEFENDANTS

JUDGMENT

This matter having come on to be heard on the Motion to Dismiss [146] filed by Defendants, Alliance Resource Partners, L.P., Alpha Natural Resources, Inc., Arch Coal, Inc., CONSOL Energy Inc., Foundation Coal Holdings, Inc., International Coal Group, Inc., Massey Energy Company, Natural Resource Partners L.P., Peabody Energy Corporation, and Westmoreland Coal Company, and joined by Defendants, Allegheny Energy Corp., Entergy Corp., and Reliant Energy Corp., the Court, after a full review and consideration of Defendants' Motion, the pleadings on file, and the relevant legal authority, finds that in accord with the order entered herewith,

IT IS ORDERED AND ADJUDGED that the Motion to Dismiss [146] filed by Defendants, Alliance Resource Partners, L.P., Alpha Natural Resources, Inc., Arch Coal, Inc., CONSOL Energy Inc., Foundation Coal Holdings, Inc., International Coal Group, Inc., Massey Energy Company, Natural Resource Partners L.P., Peabody Energy Corporation, and Westmoreland Coal Company, and joined by Defendants, Allegheny Energy Corp., Entergy Corp., and Reliant Energy Corp., is **GRANTED**. Plaintiffs' claims against these defendants are hereby **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiffs' claims against all

other defendants are *sua sponte* **DISMISSED WITH PREJUDICE** for lack of standing.

IT IS FURTHER ORDERED AND ADJUDGED that all remaining pending motions are hereby rendered **MOOT**.

SO ORDERED AND ADJUDGED this the 30th day of August, 2007.

s/ *Louis Guirola, Jr.*
LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE